

Panaji, 07th March, 2025 (Phalgun 16, 1946)

SERIES III No. 49

OFFICIAL GAZETTE GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

EXTRAORDINARY

GOVERNMENT OF GOA

Collectorate south**Order**

38/06/1/2025/BYE-ELEC-M.C./MAG/XII/M.O.636

Date: 06-Mar-2025

UNDER SECTION 163 OF THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023.

WHEREAS, the Goa State Election Commission has announced the Bye Election to Ward No.X of Cuncolim Municipal Council and Bye Election to Ward No.II of Sao Jose De Areal Village Panchayat in South Goa District are scheduled to be held on 09/03/2025 (Sunday) and counting of polled votes fixed on 10/03/2025. The Model Code of Conduct has come into force with immediate effect. The Goa State Election Commission has issued directions to ensure free, fair and peaceful Election;

AND WHEREAS, political disputes, confrontation, violence and breach of peace may arise on the eve of the poll due to misuse of Hotels, Restaurants, Tea Shops, Paan Shops and other food shops/joints (Dhabas, Gaddas) etc., due to gathering of crowd in the vicinity of 100 meters of the polling station and Counting Centre which may create nuisance, law and order problem or may also create a situation of undue pressure or influence on the voter;

AND WHEREAS, Sections 170 and 171 of the Bharatiya Nyaya Sanhita, 2023 (BNS) disallow attempts of bribery and undue influence on any person or voter and whoever commits offence of bribery is punishable under section 173 of Bharatiya Nyaya Sanhita and whoever commits the offence of undue influence or impersonation at an election is punishable under section 174 of Bharatiya Nyaya Sanhita;

AND WHEREAS, I am satisfied that the circumstances do not permit the serving, in due time, of the notices individually upon the persons against whom this order is directed and therefore, under the powers vested in me under sub section (2) of Section 163 of the Bharatiya Nagarik Suraksha Sanhita, 2023, I hereby pass the order ex-parte.

NOW THEREFORE, I, Egnacleetus, IAS, District Magistrate, South Goa District, in exercise of the powers vested in me under sub section (1) of section 163 of Bharatiya Nagarik Suraksha Sanhita, 2023 hereby issue following Prohibitory orders:

1. That all Restaurants, Bars, Tea shops, Paan shops, Eateries and other Food shops/joints (Dhabas, Gaddas) etc., situated in Ward No.X of Cuncolim Municipal Council and Ward No.II of Sao Jose De Areal Village Panchayat in South Goa District jurisdiction within 100 meters of:
 - (i) The polling station w.e.f. **06.00 hrs to 21.00 hrs on the day of poll i.e. on 09/03/2025,**
 - (ii) The counting centres w.e.f. **06.00 hrs to till end of counting of votes on 10/03/2025,**
 of Ward No.X of Cuncolim Municipal Council and Ward No.II of Sao Jose De Areal Village Panchayat jurisdiction and Counting Centre i.e. Room No.114, Chamber of Mamlatdar of Salcete, 1st floor, Matanhy Saldanha Complex, margao , Salcete – Goa in South Goa District, **shall remain closed.**
2. Ban any gathering or crowd comprising of more than 5 persons within 100 meters of polling stations within the area of Ward No.X of Cuncolim Municipal Council and Ward No.II of Sao Jose De Areal Village Panchayat in South Goa District.

I further direct that the above restrictions shall not apply to public servants on duty and to bonafide marriage or funeral processions or religious processions/ functions. Also, the above Order shall not apply to the authorised officers on Election duty including the Polling Officials, Magistrates, Police Officials and Government Staff.

Failure to comply with this order shall be liable for penal action under section 223 of Bharatiya Nyaya Sanhita, 2023 (BNS) and other relevant provisions of laws in force.

Given under my hand and seal of this office on this 6th day of March, 2025.

(Egnacleetus, IAS)
District Magistrate &
Municipal Council Election Officer/
Village Panchayat Election Officer,
South Goa District, Margao Goa.